

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 02/16/2017

Hearing Officer: MICHAEL HURTER

Case number: 15620351W6

Address: 351 RADCLIFFE RD

Owner: RGW PROPERTY LLC

Present Not Present

Person Representing Property Owner: _____

Legal Standing: _____

Issuance Date of Civil Penalty: 11/23/2016

Case Officer: TAYLOR BOURNE

Pre-January 2017 only, Notice of Violation: ☐ Nuisance ☐ Housing ☐ Sidewalk

☐ Housing with \$ _____ Civil Penalty Amount

☒ Nuisance with \$ 100.00 Civil Penalty Amount

☐ Sidewalk with \$ _____ Civil Penalty Amount

☐ Emergency Abatement \$ _____ ☐ Nuisance ☐ Housing

☐ Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

☒ Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

_____ A violation(s) of the Ordinance was committed. To Wit: _____

trash & debris, indoor furniture outside, tires

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ 100.00. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted _____ days from service of notice of this Order within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a conformation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ _____, and is ordered to remedy the violation within _____ days from service of this Order, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant. Notes: _____

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**

Michael R. Hurter
Hearing Officer's Signature

Date

Supplementary Page
Completed



ON ATTACHED
12-5-16

Lexington-Fayette Urban County Government
DEPARTMENT OF PLANNING, PRESERVATION & DEVELOPMENT

Jim Gray
Mayor

Derek J. Paulsen, Ph.D.
Commissioner

DIVISION OF CODE ENFORCEMENT

11/23/2016

CIVIL PENALTY INVOICE (NUISANCE)

RGW PROPERTY LLC
PO BOX 24771
LEXINGTON, KY 40524-4771

RE: INSPECTION OF 351 RADCLIFFE RD ON 11/21/2016

CASE#: 15620351W6

You have been given notice by the Lexington-Fayette County Government on 11/21/2016 to abate the existing nuisance existing at the following location:

351 RADCLIFFE RD

No action was taken to comply with the Notice or since this property has been the subject of two or more Notices within the past 12 months, a civil penalty has been assessed; therefore, the Urban County Government has charged you the following:

Total Civil Penalty: **\$100.00**

This invoice amount of \$100.00 must be paid within twenty (20) days from 11/24/2016. If payment is not received within twenty (20) days, a 'Notice of Lien Claimed' will be placed against the property.

Please return this invoice with your payment to insure proper credit to your account. All checks should be made payable to the Lexington-Fayette Urban County Government and mailed to the following address:

Lexington-Fayette Urban County Government
Division of Revenue, 2nd floor
200 East Main St
Lexington, KY 40507

IF YOU HAVE ANY QUESTIONS CONCERNING THIS BILLING PLEASE CALL:

**TAYLOR BOURNE
NUISANCE CONTROL OFFICER
(859) 576-3847**

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